

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

234

CRWP No.701 of 2017 (O&M)
DATE OF DECISION:17.07.2017

JAGPAL SINGH

... Petitioner

V.

STATE OF PUNJAB & ORS.

... Respondents

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. A.P.S. Rehan, Advocate
for the petitioners.

Mr. H.S. Grewal, Addl.A.G., Punjab.

Mr. Dhawaljeet Dutta, Advocate for respondents No.3 and 4.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner has sought a direction for appointment of Warrant Officer to search and release the alleged detenues from the illegal confinement/detention of respondents No.3 and 4 who are S.H.O and A.S.I. respectively of Police Station Ghuman Kalan, Tehsil and District Gurdaspur.

In terms of the order dated 10.06.2017, Warrant Officer was appointed to accompany the petitioner and conduct raid at places pointed out by the petitioner in the area of District Gurdaspur and get alleged detenues released forthwith if they were found to be in illegal detention. The report of the Warrant Officer has been received wherein it is stated that out of 4 alleged detenues, 2 detenues namely Shere Punjab and Gurpreet Singh were found sitting in the police station and on enquiry from the Warrant Officer if they are not wanted in any case except FIR No.26 dated 16.05.2017 registered under sections 452, 325, 324, 323, 427, 506, 148, 149 IPC, the ASI informed him that they are not required in any other case and are free and he

can take them with him, the Warrant Officer directed their release. It is further stated that ASI Satnam Singh informed the Warrant Officer that the alleged detainees Rashpal Singh and Buland Raj were produced before the Duty Magistrate, Gurdaspur where they were released after taking bail bonds.

Learned counsel for the petitioner, however, contends that the police officers have violated the order of this Court passed in CRM-M-21457-2017, whereby all the detainees were directed to be released on anticipatory bail. He further contends that he will be adopting appropriate proceedings in that regard.

Be that as it may. This petition which is in the nature of habeas corpus would not survive as two of the alleged detainees have been directed to be released by the Warrant Officer while the remaining two have been released on bail. However, the petitioner shall be at liberty to adopt the appropriate proceedings in accordance with law.

The petition stands disposed of accordingly.

July 17, 2017

SwarnjitS

**(ANUPINDER SINGH GREWAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No